

Atty. Docket No. JP9-2000-0267
(590.083)

REMARKS

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Please note the fact that August 13, 2006, fell on a Sunday ensures that this paper is timely filed as of today, Monday, August 14, 2006 (the next succeeding day which is not a Saturday or Sunday).

Applicant and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner. The Examiner is respectfully requested to reconsider the rejections presented in the outstanding Office Action in light of the foregoing amendments and the following remarks.

Claims 1, 2, and 4-23 are currently pending for examination, of which claims 1, 4, 6, 8, 10, 12, 13, 15-17, and 19-22 are independent; the remaining claims are dependent. Independent claims 1, 4 and 6 have been rewritten to address the Examiner's rejections under 35 U.S.C. § 112, 2nd paragraph and to correct informalities in the claims. Applicant intends no change in the scope of the claims by the changes made by this amendment. It should be noted these amendments are not in acquiescence of the Examiner's position on allowability of the claims, but merely to expedite prosecution.

Rejections under 35 U.S.C. § 112, 2nd paragraph:

Claims 1, 4, and 6 stand rejected under 35 U.S.C. § 112, 2nd paragraph for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

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Specifically the Examiner regards claim limitations with respect to “whereby/wherein the number of errors . . . is [reduced]” to be unclear. Claims 1, 4, and 6 have been amended to replace “whereby/wherein” with “such that.”

Applicant respectfully submits that the claim terminology is clear and is adequately defined in the specification. Applicant respectfully submits that claims 1, 4, and 6, as amended, particularly point out and distinctly claim the subject matter that Applicant regards as the invention. Applicant respectfully requests that the Examiner withdraw the rejection of claims 1, 4, and 6 under 35 U.S.C. § 112, 2nd paragraph.

Rejection of claims 1, 2, and 4-23 under 35 U.S.C. 103(a):

Claims 1, 2, and 4-23 stand rejected as being unpatentable over U.S. Patent 5,666,139 to Thielens et al. (hereinafter Thielens ('139)) in view of U.S. Published Application 2003/0177115 of Stern et al. (hereinafter Stern ('0177115)), in further view of Wordperfect for DOS, Wordperfect Corp. (1989) (hereinafter Wordperfect), and in further view of U.S. Patent 6,295,542 to Corbin (hereinafter Corbin ('542)) under 35 U.S.C. § 103(a).

The present invention broadly contemplates methods and systems that generally relate to markup text data error correction. In accordance with the present invention, errors and incorrect conversions that tend to occur during the re-input of text can be detected. Additional representative data can be added to the markup text data which represents and describes the data identified as being a source of error in future data text re-input. In accordance with the present invention, the additional representative data can

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be used to determine the original data that it represents, thus, enabling the prevention of common errors associated with markup text data re-input.

A very simple example related to the present invention and which is in no way intended to limit Applicant's disclosure and/or claims may prove to be a helpful overview of the Applicant's position. For example then, if "AB" were data that when re-input generally resulted as being interpreted "DE", then another way of representing "AB" that did not result in a misinterpretation would be helpful in preventing the re-input error. If, continuing this basic example, "12" could represent "AB" without any re-input errors being associated with "12", then the error could be avoided. The insertion of "12" into the data as an identification of "AB" would enable the prevention of the re-input error when used in a system that understood the additional data, "12", to mean "AB" is the proper form of the associated data being re-input. The relation of the example to at least one embodiment of the present invention can be seen in an embodiment in which, "A first computer comprises: a markup addition profile, which includes information used for replacing with tags a predetermined portion in XML application data; and an error prevention/detection/correction markup addition module, for replacing with tags, while referring to the markup addition profile, the predetermined portion of the application data, for generating and outputting application data that includes correction information. A second computer comprises: an error detection/correction module, for receiving the application data that includes correction information, for recognizing a tag set included in the data, and for detecting errors or incorrect conversions in the application data."

(Abstract)

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The teachings of Thielens ('139), Stern ('01770115), and Wordperfect and the applicability of those references to the currently claimed subject matter have been previously discussed by Applicant in prior submissions to the Office. Those remarks apply with equal weight to the current rejection are hereby incorporated by reference into this Response.

As best understood, Corbin ('542) teaches a method and apparatus for cross-referencing text, wherein label strings associated with section headings in a document are located, standardized and the labeled. Cross-references to those labeled section headings within the document are then located, converted into a standard format, collated, and then automatically linked to the cross-referenced section headings using HTML language to create a hyperlink between the cross-reference and the section heading. In this manner a lengthy document, such as a contract or other legal document, can be made easily navigable with regards to cross-references within the document (col. 2 line 55-col. 4 line 15).

For instance, the PTO currently provides an online version of the MPEP on its website. The MPEP is provided in HTML coding. Section headings within this HTML version of the MPEP are labeled. By browsing through the MPEP one can see that other sections of the MPEP cross-referenced within the MPEP have hyperlinks associated with them. By clicking on such a hyperlink one is automatically taken to the section being cross-referenced.

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For example, if one were to view the HTML version of MPEP § 2143.03 one would see a cross-reference to MPEP § 706.03(d). This cross-reference has a hyperlink associated with it so that by "clicking" the hyperlink one is taken to MPEP § 706.03(d). Corbin ('542) merely teaches an automated system for making such hyperlinked cross-references in a lengthy document.

The Examiner asserts the following in the outstanding Office Action:

Thielens, Stern and Wordperfect do not explicitly teach data written in a markup description language, whereby the number of said errors [or] incorrect character conversions occurring during the re-input of text is reduced, however (as taught by Corbin at the Abstract and col. 15 line 50 through col. 16, line 65 pages), discloses the text is re-read, with the paragraphs/section headers masked off, to locate text strings within the body of the text which cross-reference the section headers, or term definitions, or external links.

Once the text has been marked up, an index file (FIG. 2) is generated. This holds the (optional) table of contents, as well as any diagnostic information obtained during the processing of the original (input) HTML file. The index file is preferably linked to the original HTML file, as well as to other utility programs such as a spell checker/thesaurus, a search tool and to the other generated files containing the list of missing references, external references, term definitions, undefined terms and circular references is provided. Also (see Corbin at col. 1, lines 10-45), described the shortcoming of time pressure in the preparation of the documents especially during negotiations. The documents may need to be redrafted may times to accommodate the changes, any of which may lead to errors and provides the solution (see Corbin at col. 2, line 55 through col. 4, line 15).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Co[r]bin's teaching into Wordperfect, Thielens and Stern to provide a way to include the means of data written in a markup description language, whereby the number of said errors incorrect character conversions during the re-input of text is reduced. One of ordinary skill in the art would have been motivated to perform such a modification, because they are from the same field of endeavor of error and/or spellchecker (i.e. cross

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referencing text), and to provide error correction solution, which could be easy to perform automatically, without requiring extensive manual intervention in any computational devices, and available through the world wide web, as taught by Stern at page 1, paragraph [0007] and also as taught by Stern at page 2, paragraphs [0014] and [0017].

Applicant respectfully submits that in order to establish a *prima facie* case of obviousness three criteria must be met. First, must be some suggestion or motivation to modify a reference or combine reference teachings, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. Second, the modification or combination must have some reasonable expectation of success. Third, the prior reference or combined references must teach or suggest all the claim limitations. MPEP § 2143. The teachings of a prior art reference must be considered as a whole including those portions that would lead away from the claimed invention. MPEP § 2141.02(VI).

Applicant further respectfully submits that “[t]he Examiner must determine what is ‘analogous prior art’ for the purpose of analyzing the obviousness of the subject matter at issue.” A prior art reference must either be in the Applicant’s field of endeavor or be “reasonably pertinent to the particular problem” that the Applicant was concerned with in order to be relied upon as basis for rejecting an Applicant’s claims. MPEP § 2141.01(a)(I).

Applicant respectfully submits that Corbin (‘542) is non-analogous prior art and cannot be relied upon as a basis for rejecting Applicant’s claims. Applicant’s claimed invention is directed towards a method and apparatus for preventing, detecting and

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correcting errors in text recognition. Corbin ('542) is directed toward an automated system for embedding HTML hyperlinks at cross-references to section headings within a document. Corbin ('542) contains **absolutely no teachings of any pertinence to Applicant's claimed invention.**

The Examiner asserts that Corbin ('542) teaches error correction and that cross-referencing is of the same field of endeavor as error correction. Applicant respectfully submits that the problem of embedding hyperlinks in a document at cross-references to a particular section heading has **nothing** to do with error prevention/correction.

Corbin ('542) merely teaches the scanning of a document for section headings and cross-references. Such headings and cross-references are then converted into a standard format in order to remove any ambiguities in the hyperlinks. This is **not** error correction as the Examiner is apparently indicating but the standardization of headings and cross-references in order to streamline the document hyperlinks. Such ambiguities are not errors at all.

Applicant respectfully submits that the Examiner mis-characterizes Corbin ('542) by implying on page 6 of the outstanding Office Action that the reference teaches error detection and correction. The section the Examiner refers to has been reviewed and Applicant can find no reference to either error detection or correction.

Furthermore, the teachings of Corbin ('542) are in direct opposition to Applicant's claimed invention. Corbin ('542) teaches a system wherein ambiguous headings and cross-references are replaced and standardized. Applicant's claimed invention, on the

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other hand, is meant to prevent, detect and correct errors in recognizing non-standard text. The teachings of Corbin ('542) would exacerbate, not prevent, such a problem. The rejection is therefore improper.

With regards to the motivation to combine reference, the Examiner asserts that one of ordinary skill in the art would have been motivated to incorporate the teachings of Corbin ('542) into Thielens ('139), Stern ('0177115), and Wordperfect to provide an automatic error correction solution. Applicant respectfully submits that even if the teachings of Corbin ('542) were to be incorporated into the other references such an advantage would never be realized.

Corbin ('542) merely teaches a system for providing HTML hyperlinks in cross-references in lengthy documents. As established above Corbin ('542) contains no teachings regarding error correction. If the teachings of Corbin ('542) were to be incorporated heading and cross-reference text would merely be located and standardized and hyperlinks would be embedded in the file. No textual errors would be prevented or corrected. Applicant respectfully submits then, that the Examiner's asserted motivation to combine the references is not suggested by the prior art because it is in contradiction to the teachings of Corbin ('542). The rejection is therefore improper.

For the foregoing reasons, Applicant respectfully submits that claims 1, 2, and 4-23 are allowable over Thielens ('139), Stern ('0177115), Wordperfect, and Corbin ('542). Applicant respectfully requests that the Examiner withdraw the rejection of claims 1, 2,

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and 4-23 as being unpatentable over Thielens ('139), Stern ('0177115), Wordperfect, and Corbin ('542) under 35 U.S.C. § 103(a).

In view of the foregoing, it is respectfully submitted that Claims 1, 4, 6, 8, 10, 12-13, 15-17, 19-22 are fully distinguishable over the applied art and are thus allowable. By virtue of dependence from Claims 1, 4, 6, 8, 10, 13, and 17, it is thus also submitted that Claims 2, 5, 7, 9, 11, 14, 18, and 23 are also allowable at this juncture.

The "prior art made of record" has been reviewed. Applicants acknowledge that such prior art was not deemed by the Office to be sufficiently relevant as to have been applied against the claims of the instant application. To the extent that the Office may apply such prior art against the claims in the future, Applicants will be fully prepared to respond thereto.

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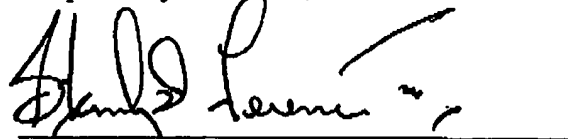
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In summary, it is respectfully submitted that the instant application, including Claims 1, 2, and 4-23, is presently in condition for allowance. Notice to the effect is hereby earnestly solicited. If there are any further issues in this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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